

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 29

[TB-94-36]

#### Tobacco Inspection—Growers Referendum

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice of referendum.

**SUMMARY:** This notice announces that a referendum will be conducted by mail during the period of February 6–10, 1995, for producers of flue-cured tobacco who sell their tobacco at auction in Clarkton and Chadbourn, North Carolina, to determine producer approval of the designation of the Clarkton and Chadbourn tobacco markets as one consolidated auction market.

**DATES:** The referendum will be held February 6–10, 1995.

**FOR FURTHER INFORMATION CONTACT:** Larry L. Crabtree, Deputy Director, Tobacco Division, Agricultural Marketing Service, United States Department of Agriculture, P.O. Box 96456, Washington, DC 20090-6456; telephone number (202) 205-0235.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given of a mail referendum on the designation of a consolidated auction market at Clarkton and Chadbourn, North Carolina. Clarkton and Chadbourn, North Carolina, were designated on June 26, 1942, (7 CFR 29.8001) as flue-cured tobacco auction markets under the Tobacco Inspection Act (7 U.S.C. 511 *et seq.*). Under this Act both have been receiving mandatory grading services from USDA.

On September 2, 1994, an application was made to the Secretary of Agriculture to consolidate the designated markets of Clarkton and Chadbourn, North Carolina. The application, filed by warehouse operators in those markets, was made pursuant to the regulations promulgated

under the Tobacco Inspection Act (7 CFR part 29.1–29.3). On November 10, 1994, a public hearing was held in Fair Bluff, North Carolina, pursuant to the regulations. A Review Committee, established pursuant to § 29.3(h) of the regulations (7 CFR 29.3 (h)), has reviewed and considered the application, the testimony presented at the hearing, the exhibits received in evidence, and other available information. The Committee recommended to the Secretary that the application be granted and the Secretary approved the application on January 20, 1995.

Before a new market can be officially designated, a referendum must be held to determine that a two-thirds majority of producers favor the designation. It is hereby determined that the referendum will be held by mail during the period of February 6–10, 1995. The purpose of the referendum is to determine whether farmers who sold their tobacco on the designated markets at Clarkton and Chadbourn are in favor of, or opposed to, the designation of the consolidated market for the 1995 and succeeding crop years. Accordingly, if a two-thirds majority of those tobacco producers voting in the referendum favor this consolidation, a new market will be designated as and will be called Clarkton-Chadbourn.

To be eligible to vote in the referendum a tobacco producer must have sold flue-cured tobacco on either the Clarkton and Chadbourn, North Carolina, auction markets during the 1994 marketing season. Any farmer who believes he or she is eligible to vote in the referendum but has not received a mail ballot by February 6, 1995, should immediately contact Larry L. Crabtree at (202) 205-0235.

The referendum will be held in accordance with the provisions for referenda of the Tobacco Inspection Act, as amended (7 U.S.C. 511d) and the regulations for such referendum set forth in 7 CFR 29.74.

Dated: January 27, 1995.

**Lon Hatamiya,**

*Administrator.*

[FR Doc. 95-2585 Filed 2-1-95; 8:45 am]

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#### 7 CFR Part 29

[TB-94-35]

#### Tobacco Inspection—Growers Referendum

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice of referendum.

**SUMMARY:** This notice announces that a referendum will be conducted by mail during the period of February 6–10, 1995, for producers of flue-cured tobacco who sell their tobacco at auction in Tifton and Fitzgerald-Ocilla, Georgia, to determine producer approval of the designation of the Tifton and Fitzgerald-Ocilla tobacco markets as one consolidated auction market.

**DATES:** The referendum will be held February 6–10, 1995.

**FOR FURTHER INFORMATION CONTACT:** Larry L. Crabtree, Deputy Director, Tobacco Division, Agricultural Marketing Service, United States Department of Agriculture, P.O. Box 96456, Washington, DC 20090-6456; telephone number (202) 205-0235.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given of a mail referendum on the designation of a consolidated auction market at Tifton and Fitzgerald-Ocilla, Georgia. Tifton and Fitzgerald-Ocilla, Georgia, were designated on June 26, 1942, and May 29, 1991, respectively, (7 CFR 29.8001) as flue-cured tobacco auction markets under the Tobacco Inspection Act (7 U.S.C. 511 *et seq.*). Under this Act both have been receiving mandatory grading services from USDA.

On August 30, 1994, an application was made to the Secretary of Agriculture to consolidate the designated markets of Tifton and Fitzgerald-Ocilla, Georgia. The application, filed by warehouse operators in those markets, was made pursuant to the regulations promulgated under the Tobacco Inspection Act (7 CFR part 29.1–29.3). On November 7, 1994, a public hearing was held in Ocilla, Georgia, pursuant to the regulations. A Review Committee, established pursuant to § 29.3(h) of the regulations (7 CFR 29.3 (h)), has reviewed and considered the application, the testimony presented at the hearing, the exhibits received in evidence, and other available information. The Committee